

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN  
DISTRICT OF PENNSYLVANIA**

**In re: LEWIS M. IRVING, Debtor** : **CHAPTER 11**  
: **BANKRUPTCY NO. 19-13930**

**ORDER GRANTING MOTION OF DEBTOR TO WAIVE FILING OF  
DISCLOSURE STATEMENT, EXTEND TIME TO CONFIRM PLAN, AND  
ESTABLISH SCHEDULE FOR VOTING AND CONFIRMATION OF PLAN**

AND NOW, this       day of January, 2020, upon consideration of the Debtor's Motion to Waive Filing of Disclosure Statement, Extend the Time to Confirm His Filed Plan, and Establish a Schedule for Voting and Confirmation of the Debtor's Chapter 11 Small business Plan in this case, and any response filed thereto, it is hereby ORDERED as follows:

1. The Motion is GRANTED.
2. The filing of a Disclosure Statement to accompanying the Debtor's Small Business Plan ("the Plan") is WAIVED, pursuant to 11 U.S.C. 1125(f)(1).
3. The 45-day limit of time for the Debtor to obtain confirmation of the Plan set forth in 11 U.S.C. 1129(e) is extended for \_\_\_\_\_ days.
4. Within three days after the entry of this Order, the Debtors shall transmit copies of the Plan, the Ballot (the proposed form of which is attached to the Motion and is approved), and this Order to the U.S. Trustee and all parties known to be eligible to vote thereon.
- 5.. On or before \_\_\_\_\_, 2020, all ballots and Objections to confirmation of the Plan shall be filed.
6. On or before \_\_\_\_\_, 2020, the Debtors shall file a Report of Voting on the Plan.

7. A hearing to consider whether the Plan can be confirmed is scheduled on \_\_\_\_\_ 2020, at 11:00 A.M. in Courtroom 4, 900 Market St., Philadelphia, PA. 19107.

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J.

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN  
DISTRICT OF PENNSYLVANIA**

**In re: LEWIS M. IRVING, Debtor** : **CHAPTER 11**  
: **BANKRUPTCY NO. 19-13930**

**DEBTOR'S MOTION TO WAIVE THE FILING OF A DISCLOSURE  
STATEMENT; EXTEND THE TIME TO OBTAIN CONFIRMATION OF HIS  
FILED SMALL BUSINESS PLAN; AND ESTABLISH SCHEDULE FOR  
SOLICITING VOTES AND CONFIRMATION OF PLAN**

1. This case was filed by the Debtor under Chapter 11 of the Bankruptcy Code on June 19, 2019.
2. This case is a “small business case” as defined in 11 U.S.C. section 101(51D).
3. In such a case, if, as here, the Plan is sufficiently clear, this court may waive the otherwise normal requirement that the debtor prepare and obtain approval of, a disclosure statement to be submitted to creditors with the plan for voting. 11 U.S.C. section 1125 (f)(1).
4. The Bankruptcy Code further provides that, unless the court allows otherwise, a Plan proposed in a “small business case” must be confirmed within 45 days from when a plan is proposed. 11 U.S.C. section 1129(e).
5. It is rather difficult to achieve confirmation in such a short time period in any event, but it would be particularly difficult to do so if a disclosure statement must be approved before the plan can be submitted for voting.
6. The 45-day period may be extended in an appropriate case. 11 U.S.C. section 1129(e), This is an appropriate case for an extension, because the Debtor's

Objections to his largest claim, that of LSC 19, LLC (“LSC”), have not been resolved and are scheduled, with a motion seeking to compel certain resisted discovery requests relevant to that claim, until January 8, 2020. Although the Debtor and LSC have negotiated interim agreements to adequately protect LSC’s interests and begun negotiations regarding the acceptable treatment of LSC in a plan, those negotiations have not yet been completed.

7. The Debtor further requests in this Motion that this court establish an appropriate form of a ballot to be submitted to creditors, a proposed copy of which is attached hereto as an exhibit, and establish an appropriate schedule for serving creditors with ballots and for creditors to submit those ballots, and to consider whether the plan can be confirmed.

WHEREFORE, the Debtor requests that this court will grant the Motion in the proposed Order attached hereto.

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/s/ DAVID A. SCHOLL  
512 Hoffman Street  
Philadelphia, Pennsylvania 19148  
610-550-1765  
Attorney for Debtor.

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

**In Re: LEWIS M. IRVING, : CHAPTER 11  
Debtor : BANKRUPTCY NO. 19-13930**

**BALLOT FOR ACCEPTING OR REJECTING PLAN**

Filed By: \_\_\_\_\_

The Debtor's Plan of Reorganization under Chapter 11 of the Bankruptcy Code ("Code") referred to in this Ballot can be confirmed by the Bankruptcy Court ("Court"), and thereby made binding upon you and the Debtor, if it is accepted by two-thirds of the holders in amount and more than one-half in number of claims voting in each Class. In the event that the requisite acceptances are not obtained, the Court may nevertheless confirm the Plan if the Court finds that the Plan accords fair and equitable treatment to the Class or Classes rejecting it or otherwise satisfies the requirements of Section 1129(b) of the Code

To have your vote count, you must complete and return this Ballot in the time required.

The undersigned, a creditor of the above-named Debtors in the principal amount of \$ \_\_\_\_\_  
(if a holder of a general claim).

The undersigned, the holder of (state unpaid principal amount) \$ \_\_\_\_\_ of described security \_\_\_\_\_ of the above-named Debtor.

Check one line:

\_\_\_\_\_ Accepts the Plan proposed by the Debtor.  
\_\_\_\_\_ Rejects the Plan proposed by the Debtor.

Dated: \_\_\_\_\_  
PRINT OR TYPE NAME  
Signed By:  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_

RETURN THIS BALLOT ON OR BEFORE THIS DATE: \_\_\_\_\_, 2020, at 5 PM TO DAVID A, SCHOLL, ESQ., 512 HOFFMAN ST., PHILADELPHIA, PA. 19148

